

### REMARKS

This Amendment and Response are filed in reply to the Office Action dated May 20, 2003 and the Notice of Appeal dated August 20, 2003. In this Response, Applicant amends independent claims 1 and 9 to include the allowable subject matter of dependent claim 8. Applicant also cancels claim 8, without prejudice, and as provided herein, incorporates the features of such objected to claim into independent claims 1 and 9, thereby traversing the Examiner's rejections of independent claims 1 and 9. Support for the amendments can be found throughout the originally filed disclosure. Cancellations of and/or amendments to the claims are not an acquiescence to any of the rejections. Furthermore, silence with regard to any of the Examiner's rejections is not an acquiescence to such rejections. Specifically, silence with regard to Examiner's rejection of a dependent claim, when such claim depends from an independent claim that Applicant considers allowable for reasons provided herein, is not an acquiescence to such rejection of the dependent claim(s), but rather a recognition by Applicant that such previously lodged rejection is moot based on Applicant's remarks and/or amendments relative to the independent claim (that Applicant considers allowable) from which the dependent claim(s) depends. Furthermore, any cancellations of and amendments to the claims are being made solely to expedite prosecution of the instant application. Applicant reserves the option to further prosecute the same or similar claims in the instant or a subsequent application. Upon entry of the Amendment, claims 1-7 and 9-16 are pending in the present application.

The issues of the May 20, 2003 Office Action are presented below with reference to the Office Action.

With regard to the Office Action, paragraphs 1-3: Applicants thank the Examiner for the finding of allowable subject matter in dependent claim 8. To expedite prosecution, Applicant incorporates such allowable features into independent claims 1 and 9, thereby making such independent claims allowable. Pending claims 2-7 and 10-16 depend from allowable independent claims 1 and 9, respectively, and thus, such pending claims are also allowable as depending from an allowable base claim.

Applicant thus traverses the Examiner's rejections of all pending claims, and considers all pending claims to be allowable.

CONCLUSION

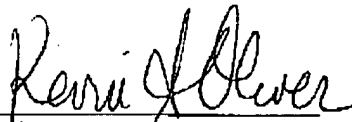
Applicant considers the Response herein to be fully responsive to the referenced Office Action. Based on the above Remarks, it is respectfully submitted that this application is in condition for allowance. Accordingly, allowance is requested. If there are any remaining issues or the Examiner believes that a telephone conversation with Applicant's attorney would be helpful in expediting the prosecution of this application, the Examiner is invited to call the undersigned at 617-832-1241.

Respectfully submitted,

Date: January 20, 2004

Foley Hoag LLP  
World Trade Center West  
155 Seaport Boulevard  
Boston, MA 02210

Phone: 617-832-1241  
Fax: 617-832-7000

  
Kevin A. Oliver  
Reg. No. 42,049